



Senator Feinstein Urges Hearings on Fair and Accurate Federal Elections

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Washington, DC – U.S. Senator Dianne Feinstein (D-Calif.) today announced that she will seek to have the Senate Rules and Administration Committee hold hearings on problems that have been reported in the use of new paperless electronic voting machines and the enforcement of new voter registration laws.

“It’s now less than three weeks before the mid-term federal elections and there is a growing number of reports about problems with electronic voting machines and in training poll workers on using this new technology,” Senator Feinstein said. **“I believe the Senate Rules Committee should hold hearings on what’s gone right and what’s gone wrong in conducting these elections throughout our nation.”**

According to reports most recently in the New York Times, Sacramento Bee and other media outlets, a wide range of problems have been cropping up, including delays in the delivery of the electronic voting machines and the software needed to operate them, serious shortages of technicians needed to install and maintain the machines; and software glitches such as the new audio program for visually impaired voters in Yolo County, Calif., that only provides instructions in Vietnamese.

Other serious challenges to fair elections which Senator Feinstein is seeking to be examined are:

- onerous restrictions on voter registration drives;
- cumbersome database-predicated barriers to getting registered;
- inaccurate purges of the voters rolls; and
- new voter registration laws that are difficult for the poor and elderly to fulfill.

Senator Feinstein, a senior member of the Rules Committee, announced earlier this month that she plans to introduce legislation – *the Ballot Integrity Act* – to help ensure the accuracy of future federal elections by requiring that electronic voting machines print a paper record which can be verified by the voter and is subject to an independent audit to help ensure that the machines are secure from error.

“Serious questions have arisen about the accuracy and reliability of electronic voting machines, including concerns that they can be susceptible to fraud and computer hacking attacks unless proper security measures are taken,” Senator Feinstein said. **“It is imperative that Congress does everything it can to help ensure that votes cast by American citizens are recorded accurately.”**

The provisions of the legislation relating to paper records, audits and voting system integrity are similar to the bipartisan Voter Confidence and Increased Accessibility Act introduced by Rep. Rush Holt (D-N.J.) and cosponsored by 219 other House Members. But this bill also has several additional provisions, including a prohibition on a state’s chief election officer from participating on a political campaign committee on behalf of any federal candidate and measures to make it easier for military and overseas voters to send in absentee ballots.

“Representative Holt and 219 other House Members realize the threat posed to our democracy by voting machines that may be unreliable, can be easily manipulated, and provide no paper trail,” Senator Feinstein said. **“Today, I join them in this effort to ensure the validity of the votes cast by each and every American.”**

The Commission on Electoral Reform, also known as the Carter-Baker Commission, has endorsed voter-verified paper audit records for electronic voting machines, citing four reasons for its recommendation:

- To increase citizens’ confidence that their votes will be counted accurately.
- To allow for a recount.
- To provide a back-up in cases of loss of votes due to computer malfunction.
- To test – through random recount – whether the paper result is the same as the electronic result.

The Brennan Center Task Force on Voting System Security published a comprehensive study of electronic voting machine vulnerabilities last summer, including a survey of hundreds of election officials around the country and categorized over 120 security threats to voting machines.

“A number of recent elections have been determined by a very small difference in votes, and a failure to have paper records that can be audited could ultimately call into question the validity of that election,” Senator Feinstein said. **“Congress needs to act to help restore confidence in the outcomes of elections.”**

A summary of the Ballot Integrity Act follows:

- **Paper Records, Voter Verification and Audit:** Requires that voting machines produce a paper record that voters can verify, and correct if necessary, after casting their vote. Also requires that the paper record be preserved and used in a mandatory, random audit.
- **Electronic Voting System Security:** Takes measures to prevent technological manipulation of electronic voting systems and requires that all voting system software be disclosed to and certified by the Election Assistance Commission.
- **Campaign Activities by Election Officials:** Prohibits a chief state election official from serving on any political campaign committee of a candidate for Federal office, making any public comments in support of a candidate in an official capacity, or soliciting political contributions on behalf of any candidate for Federal office.
- **Official Election Observers:** Grants all official, legitimate domestic and international election observers unrestricted access to the election process, provided that they accept election rules, do not interfere with the election process, respect the secrecy of the ballot and are accredited by the Election Assistance Commission.
- **Military and Overseas Voting:** Makes it easier for overseas and military voters to send in absentee ballot requests, absentee ballots and voter registration forms by prohibiting states from refusing to accept ballots and registration forms due to non-essential requirements (such as size and stock of paper, and whether or not it is notarized).
- **Enforcement of HAVA Provisions:** Clarifies that individuals can pursue legal resolution of violations of the Help America Vote Act. Permanently extends the authorization of the Election Assistance Committee. Requires that contractors hired by the Commission go through a public bidding process.

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